

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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DORSEY HOWARD, JR.,

Plaintiff,

Civil No. 07-2987 (JRT/SRN)

v.

ROBERT M. SMALL, JUDITH  
HAWLEY, JAMES M. GROCHAL,  
ROBERT PAULE, SERGANT BERENS,  
and MANDY D.,

**ORDER ADOPTING  
REPORT AND RECOMMENDATION  
OF MAGISTRATE JUDGE**

Defendants.

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Dorsey Howard, Jr., #206000, MCF- Rush City, 7600 525<sup>th</sup> Street, Rush City, MN 55069, plaintiff *pro se*.

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Susan Richard Nelson dated August 20, 2007. No objections have been filed to that Report and Recommendation in the time period permitted.

Based on the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Plaintiff's application for leave to proceed in forma pauperis, [Docket No. 2], is **DENIED**; and
2. This action is **DISMISSED WITHOUT PREJUDICE**.

DATED: September 13, 2007  
at Minneapolis, Minnesota.

s/John R. Tunheim  
JOHN R. TUNHEIM  
United States District Judge